



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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YOKO ONO LENNON, SEAN ONO LENNON,  
JULIAN LENNON, and EMI BLACKWOOD  
MUSIC, INC,

Plaintiffs,

-against-

PREMISE MEDIA CORP., L.P.,  
C&S PRODUCTION L.P. d/b/a RAMPANT FILMS,  
PREMISE MEDIA DISTRIBUTION, L.P.,  
and ROCKY MOUNTAIN PICTURES, INC.,

Defendants.  
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08 Civ. 3813 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

A telephone conference having been held on September 17, 2008, with counsel for all parties participating,

IT IS HEREBY ORDERED THAT:

1. Plaintiffs' motion [58] pursuant to Fed. R. Civ. P. 41(a)(2) for voluntary dismissal with prejudice and without costs and attorney's fees is hereby granted, insofar as the case is dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2) and plaintiffs do not acknowledge that defendants are "prevailing parties" for the purpose of attorney's fees; and

2. The issue of whether attorney's fees should be awarded will be addressed by defendants' motion for attorney's fees and costs, which must be made within 30 days.

Dated: New York, New York  
September 18, 2008

SO ORDERED:

  
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Sidney H. Stein, U.S.D.J.